

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**ROGER J. STONE, JR.,**

**Defendant.**

**Criminal No. 19-cr-18-ABJ**

**GOVERNMENT’S SUR-REPLY TO DEFENDANT’S MOTION TO SUPPRESS**

The Government files this sur-reply to correct a misstatement in the defendant’s Reply to Government’s Opposition to Motion to Suppress. Stone asserts that the government did not “collect[] any evidence of the DNC breach directly” or “independently verify” the findings of Company 1 about Russia’s involvement in the hack of DNC computer systems. Doc. 133, at 4; *see is.* at 2-4, 11. That statement is incorrect. The investigation that led to the indictment in *United States v. Netyksho*, No. 18-cr-215 (D.D.C.), gathered evidence showing that GRU officers hacked the DNC systems (as well as the DCCC and email accounts of people working for the presidential campaign of Hillary Clinton), published hacked information pseudonymously, and transferred stolen data to Organization 1. *See generally* Indictment, *Netyksho*, *supra* (Doc. 1). As the government has argued (Doc. 122, at 6, 9, 14), Russia’s role in the DNC hack is not material to the eighteen findings of probable cause that Stone appears to be challenging. Nor does it bear on the charges at issue in this case—making false statements to Congress, obstruction of Congress, and witness tampering. *See* Doc. 93, at 9 n.1; Doc. 94, at 6-7.\* The government therefore has not produced in discovery to Stone all of the evidence gathered in the *Netyksho* investigation. The

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\* The government intends to file a motion in limine on this topic.

government produced the CrowdStrike reports because the Indictment in this case referenced, as background, CrowdStrike's statements about the DNC hack. Stone's statement that the government has no other evidence is not only irrelevant to this proceeding but is also mistaken. The government accordingly wishes to correct any misimpression.

Respectfully submitted,

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